

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ROBERT GENE BAILEY,  
Plaintiff,

v.

WILLIAM C. TOMAN, JR., R.M.  
ASHLEY, K.D. MACKEY,  
P.J. GRAHAM, RON SMITH,  
UNKNOWN FEMALE OFFICER,  
C.C. BLAKE, JOSEPH GARDNER,  
ROGER HALL,  
Defendants.

**JUDGMENT**

No. 5:13-CV-498-F

**Decision by Court.**

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows:

**IT IS ORDERED, ADJUDGED AND DECREED** that the complaint in this matter does not contain allegations suggesting that the Plaintiff is in any such danger. Accordingly, pursuant to 28 U.S.C. § 1915(g), this action is DISMISSED. The Clerk of Court is DIRECTED to close this case.

**This Judgment Filed and Entered on July 11, 2013, and Copies To:**

Robert Gene Bailey (#0014848, Hyde Correctional Institution, P.O. Box 278, Swan Quarter, NC 27885)

DATE  
July 11, 2013

JULIE A. RICHARDS, CLERK  
/s/ Susan K. Edwards  
(By) Susan K. Edwards, Deputy Clerk